

REMARKS/ARGUMENTS

Claims 11-40 are pending in the application, with claims 11 and 21 being the only independent claims. Claims 16, 19, 25 and 28 have been withdrawn from further consideration. Independent claims 11 and 21 have been amended to recite that “a portion of the conveyor belt or chain passing over the second section of the transport path is raised to the elevation in relation to the remaining portion of the conveyor belt or chain in the first section of the transport path.” Support for the claim amendments can be found in at least Fig. 3.

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Summary of the Office Action

Claims 21-24, 26, 27, 29 and 33-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,743,375 (*Shyr*).

Claims 11-15, 17, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of U.S. Patent No. 5,655,425 (*Ruohio*).

Claims 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of U.S. Patent No. 5,060,780 (*Santandrea*).

Claims 37 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr*.

Claims 39 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of *Santandrea*.

Allowability of Independent Claims 11 and 21

Independent claims 11 and 21 each recite, at least, that “a portion of the conveyor belt or chain passing over the second section of the transport path is raised to the elevation in relation to the remaining portion of the conveyor belt or chain in the first section of the transport path.”

In the claimed invention, one portion of the upper conveyor belt or chain (*i.e.*, the portion passing over the elevation) is raised to the elevation in relation to another portion of the upper conveyor belt or chain (*i.e.*, the remaining portion in the first section of the transport path). When rolls are transported on the top surface of the conveyor chain or belt, the elevation difference between the two portions of the upper conveyor belt or chain can separate rolls.

Applicant respectfully submits that the above claim features are not disclosed or taught by the cited art.

In the Advisory Action dated April 9, 2008, the Examiner interprets *Shyr's* eccentric sleeves 61, 62 as an elevating roll assembly and asserts that they create an elevation located between the driving and tail pulleys. Without admitting or disputing the above interpretation made in the Advisory Action, applicant respectfully submits that the eccentric sleeves 61, 62 in *Shyr* operate to elevate the entire upper portion of the chain 71. Consequently, no part of *Shyr's* upper chain portion between the driving and tail pulleys is raised or elevated in relation to other parts of *Shyr's* upper chain portion. Therefore, *Shyr* does not disclose the above claim features in independent claims 11 and 21.

In view of these differences, withdrawal of the 35 U.S.C. § 102(b) rejection of claim 21 is respectfully requested.

Ruohio is cited in the Office Action as disclosing transporting rolls in a roll set as recited in independent claim 11 and does not remedy the above discussed deficiencies of *Shyr*. Therefore, independent claim 11 is allowable over the cited art. Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection of claim 11 is respectfully requested.

Allowability of Claims 12-15, 17, 18, 20, 22-24, 26, 27 and 29-40

Dependent claims 12-15, 17, 18 and 20 are allowable for at least the same reasons that independent claim 11 is allowable, as well as for the additional limitations recited therein.

Similarly, dependent claims 22-24, 26, 27 and 29-40 are allowable for at least the same reasons that independent claim 21 is allowable, as well as for the additional limitations recited therein.

Request for Clarification

In the Amendment filed March 3, 2008, applicant requested for clarification of certain claim interpretation made in the Office Action dated November 2, 2007. As these requests were not fully addressed in the Advisory Action, applicant hereby reproduces the previous submission below (shown in italics) and requests that it be considered and addressed in the next Office Action:

First, applicant is unclear as to how the Office Action interprets the side-roller-chain 71, 72 taught in Shyr. In Paragraphs 9 and 10, the Office Action appears to interpret Shyr's side-roller-chain 71, 72 as the "conveyor belt or chain" recited in claim 21. In the last sub-paragraph on page 2 of the Office Action, however, the Office Action seems to consider the side-roller-chain 72 and one of its components, roller 76, as the "elevating roll assembly" recited in claim 21. Applicant respectfully requests that clarification be made in the next Office Action.

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Applicant is unclear as to how the Office Action interprets Shyr in connection with the method recited in independent claim 11. In the third sub-paragraph on page 4, the Office Action generally refers to Figure 8 of Shyr and states that it teaches the above claim features without identifying which element in Shyr constitutes "an elevation" as recited in independent claim 11. Applicant respectfully requests that the next Office Action provide adequate specificity as to where in Shyr each and every claim feature is taught.

Rejoinder of Claims 16, 19, 25 and 28


Claim 11 is generic to claims 16 and 19 and claim 21 is generic to claims 25 and 28. Therefore, upon allowance of claims 11 and 21, consideration of claims 16, 19, 25 and 28 is respectfully requested.

Conclusion

In view of all of the above, the application is now deemed to be in condition for allowance and notice to that effect is respectfully solicited.

Respectfully submitted,

COHEN PONTANI LIEBERMAN & PAVANE LLP

By 
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

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